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PARRISH, DANIEL

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.
W.A. DREW EDMONDSON, in his capacity as
ATTORNEY GENERAL OF THE STATE OF
OKLAHOMA, and OKLAHOMA SECRETARY
OF THE ENVIRONMENT C. MILES TOLBERT,
in his capacity as the TRUSTEE FOR NATURAL
RESOURCES FOR THE STATE OF OKLAHOMA,

Plaintiffs,

vs.

No. 05-CV-0329 GFK-SAJ

TYSON FOODS, INC., TYSON POULTRY, INC.,

TYSON CHICKEN, INC., COBB-VANTRESS, INC.,
AVIAGEN, INC., CAL-MAINE FOODS, INC.,
CAL-MAINE FARMS, INC., CARGILL, INC.,
CARGILL TURKEY PRODUCTION, LLC,
GEORGE'S, INC., GEORGE'S FARMS, INC.,
PETERSON FARMS, INC., SIMMONS FOODS, INC.,
and WILLOW BROOK FOODS, INC.,

Defendants.

VIDEO DEPOSITION OF DANIEL JOSEPH PARRISH

TAKEN ON BEHALF OF THE DEFENDANTS

ON JANUARY 14, 2008, BEGINNING AT 9:37 A.M.

IN OKLAHOMA CITY, OKLAHOMA

Videographer: Stephanie Britton

Reported by: Lana L. Phillips, CSR, RPR

EXHIBIT

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1 Plus two more sentences are there,
2 about wetness, and mentions highly vulnerable
3 groundwater again.

4 Q Okay. So for Mr. Saunders, I have
5 -- in this animal waste management plan, I have
6 some criteria that address all of my fields, that
7 address areas near streams, ponds, water wells,
8 and I have criteria here that address my steep
9 sloping land, and to address my land that is
10 seasonally wet.

11 I have something to refer to in this
12 plan, as far as telling me how to handle my
13 poultry waste related to those lands; correct?

14 A That is correct.

15 But it's only based upon this animal
16 waste management plan document. There are more
17 regulations than just the plan.

18 Q Under the statutory program, as well
19 as the plan, the registered poultry feeding
20 operators are required to maintain records of the
21 disposition of the poultry waste generated on
22 their farms; correct?

23 A Yes.

24 Q And if they land-apply it on their
25 own land, they're supposed to record that;

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1 A These plans provide guidance of how
2 they should use their poultry waste, and then
3 there are other guidance they should also refer
4 to besides these plans.

5 Q But you agree that trained
6 authorized personnel either for -- working for
7 NRCS or working for ODAFF, have prepared a
8 document that specifically tells them what the
9 allowable rate of litter application is on any
10 field upon which they intend to use poultry
11 waste?

12 You agree?

13 A These documents tell that poultry
14 operation the guidelines they should use in
15 applying their waste. But just as me with my
16 driver's license, it doesn't give me everything
17 that I am required to do when I'm driving my car.

18 Q But you expect poultry growers to
19 follow these animal waste management plans?

20 That's what the law says, doesn't
21 it?

22 A Follow those waste management plans,
23 to follow the Oklahoma water quality standards.
24 I can give you a whole list of things that they
25 have to -- in addition to that, that they have to

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1 adhere to, just as I have to do with my driver's
2 license.

3 Q Now, the regulated persons who are
4 required to have animal waste management plans,
5 those are the owners and operators of the
6 registered feeding operations; correct?

7 A The law requires that the owners of
8 a Oklahoma registered poultry feeding operation
9 have an animal waste management plan or proof
10 that they've applied for an animal waste
11 management plan.

12 Q Has ODAFF ever required a poultry
13 integrator to obtain an animal waste management
14 plan?

15 A Yes.

16 Q Has ODAFF ever required a poultry
17 integrator to obtain an animal waste management
18 plan in the Illinois River watershed?

19 A I don't have memorized anybody
20 that's a registered poultry operation in the
21 Illinois River watershed would have to get that
22 plan -- whether there are poultry integrators who
23 have operations owned by them in the Illinois
24 River watershed, I don't have that list
25 memorized.